

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID SIMCHO,

Defendant.

No. CR.-06-0542-MHP

SPEEDY TRIAL ACT ORDER

This matter came on for defendant's initial appearance on September 18, 2006. The matter is continued to December 4, 2006 at 10:00 a.m. for further status and trial setting. The government and defendant and his counsel (Thomas Kidwell) have agreed that the period from September 18, 2006 to December 4, 2006 shall be excluded under the Speedy Trial Act in the interest of justice pursuant to Title 18 U.S.C Sections 3161(h)(8)(A), (B)(ii), and (B)(iv). The Court agrees and finds that the ends of justice served by excluding the above period outweigh the best interests of the public and the defendant in a speedy trial, because the defendant and his counsel are entitled to a reasonable time necessary for effective preparation of the defenses.

IT IS SO ORDERED.

Dated: September 22, 2006



**CERTIFICATE OF SERVICE**

I, **KATHY TAT** declare:

That I am a citizen of the United States of America and employed in San Francisco County, California; that my business address is Office of United States Attorney, 450 Golden Gate Avenue, Box 36055, San Francisco, California 94102; that I am over the age of eighteen years, and am not a party to the above-entitled action.

I am employed by the United States Attorney for the Northern District of California and discretion to be competent to serve papers. The undersigned further certifies that I caused a copy of the following:

**SPEEDY TRIAL ACT ORDER**

to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed envelope, and served as follows:

  X   **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

       **PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED)**

       **FACSIMILE (FAX) No.:** \_\_\_\_\_

to the parties addressed as follows:

Thomas Breen Kidwell  
2021 The Alameda, Suite 110  
San Jose, CA 95126-1144

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on **September 18, 2006** at San Francisco, California.

\_\_\_\_\_  
/s/ Kathy Tat  
**KATHY TAT**  
**Legal Assistant**